

# United States Bankruptcy Court

## Eastern District of New York

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): <b>All Island Truck Leasing Corp.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>11-2717693</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>3480 Hampton Road</b> <b>Oceanside, NY</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>11572</b>	ZIP Code
County of Residence or of the Principal Place of Business: <b>Nassau</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP Code	ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box)	<b>Nature of Business</b> (Check one box)	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)
<input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<b>Nature of Debts</b> (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000	
<b>Estimated Assets</b> <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**All Island Truck Leasing Corp.****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

Case Number:

Date Filed:

**- None -**

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X**

Signature of Attorney for Debtor(s)

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**All Island Truck Leasing Corp.****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
 [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
 [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
 Signature of Debtor

**X** \_\_\_\_\_  
 Signature of Joint Debtor

\_\_\_\_\_  
 Telephone Number (If not represented by attorney)

\_\_\_\_\_  
 Date

**Signature of Attorney\***

**X /s/ Anthony F. Giuliano** \_\_\_\_\_  
 Signature of Attorney for Debtor(s)

**Anthony F. Giuliano** \_\_\_\_\_  
 Printed Name of Attorney for Debtor(s)

**Pryor & Mandelup, L.L.P.** \_\_\_\_\_  
 Firm Name

**675 Old Country Road**  
**Westbury, NY 11590**

\_\_\_\_\_  
 Address

**516-997-0999 Fax: 516-333-7333**

\_\_\_\_\_  
 Telephone Number

**October 9, 2009**

\_\_\_\_\_  
 Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X /s/ Robert A. Poczatek** \_\_\_\_\_  
 Signature of Authorized Individual

**Robert A. Poczatek** \_\_\_\_\_  
 Printed Name of Authorized Individual

**President** \_\_\_\_\_  
 Title of Authorized Individual

**October 9, 2009**

\_\_\_\_\_  
 Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
 Signature of Foreign Representative

\_\_\_\_\_  
 Printed Name of Foreign Representative

\_\_\_\_\_  
 Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
 Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
 Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
 Address

**X** \_\_\_\_\_  
 Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

**United States Bankruptcy Court**  
**Eastern District of New York**

In re **All Island Truck Leasing Corp.**

Debtor(s)

Case No. \_\_\_\_\_

Chapter **11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>ADP 2 Huntington Quad. Melville, NY 11747</b>	<b>ADP 2 Huntington Quad. Melville, NY 11747</b>			<b>2,000.00</b>
<b>AES Inc. 41 New Street Oceanside, NY 11572</b>	<b>AES Inc. 41 New Street Oceanside, NY 11572</b>			<b>1,500.00</b>
<b>Aircore Distributors 100 Rose Avenue Hempstead, NY 11550-6645</b>	<b>Aircore Distributors 100 Rose Avenue Hempstead, NY 11550-6645</b>			<b>1,300.00</b>
<b>All System Brake Service 110 Wyandanch Ave. Wyandanch, NY 11798</b>	<b>All System Brake Service 110 Wyandanch Ave. Wyandanch, NY 11798</b>			<b>3,000.00</b>
<b>Barnwell House of Tires 2020 Lakeland Avenue Ronkonkoma, NY 11779</b>	<b>Barnwell House of Tires 2020 Lakeland Avenue Ronkonkoma, NY 11779</b>			<b>5,500.00</b>
<b>Campinelli &amp; Associates 1299 Front Street Mineola, NY 11501</b>	<b>Campinelli &amp; Associates 1299 Front Street Mineola, NY 11501</b>			<b>40,000.00</b>
<b>Empire Commerical Services, LP 543 Cary Avenue Staten Island, NY 10310</b>	<b>Empire Commerical Services, LP 543 Cary Avenue Staten Island, NY 10310</b>			<b>3,000.00</b>
<b>Eveready Auto Shop Supplies Inc. 18 Roselle St. Mineola, NY 11501</b>	<b>Eveready Auto Shop Supplies Inc. 18 Roselle St. Mineola, NY 11501</b>			<b>1,500.00</b>
<b>Gulf PO Box 900 Louisville, KY 40290-1001</b>	<b>Gulf PO Box 900 Louisville, KY 40290-1001</b>			<b>2,500.00</b>
<b>LIPA Attn: Elisa M Pugliese Esq. 175 East Old Country Road Hicksville, NY 11801</b>	<b>LIPA Attn: Elisa M Pugliese Esq. 175 East Old Country Road Hicksville, NY 11801</b>			<b>4,700.00</b>
<b>New York State Dept. of Taxation &amp; Finan PO Box 22056 Albany, NY 12201</b>	<b>New York State Dept. of Taxation &amp; Finan PO Box 22056 Albany, NY 12201</b>	<b>second audit no judgment</b>	<b>Contingent Unliquidated Disputed</b>	<b>850,000.00</b>

In re **All Island Truck Leasing Corp.**

Case No. \_\_\_\_\_

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>New York State Sales Tax JAF Building, PO Box 1205 New York, NY 10113-1205</b>	<b>New York State Sales Tax JAF Building, PO Box 1205 New York, NY 10113-1205</b>			<b>15,300.00</b>
<b>Syosset Truck Sales, Inc. 1561 Stewart Avenue Westbury, NY 11590</b>	<b>Syosset Truck Sales, Inc. 1561 Stewart Avenue Westbury, NY 11590</b>			<b>12,000.00</b>
<b>Taurus Supply Inc. 57-65 59th St. Maspeth, NY 11378</b>	<b>Taurus Supply Inc. 57-65 59th St. Maspeth, NY 11378</b>			<b>2,000.00</b>
<b>Verizon PO Box 15026 Albany, NY 12212</b>	<b>Verizon PO Box 15026 Albany, NY 12212</b>			<b>1,100.00</b>
<b>VFS US LLC PO Box 26131 Greensboro, NC 27402</b>	<b>VFS US LLC PO Box 26131 Greensboro, NC 27402</b>			<b>0.00</b> <b>(0.00 secured)</b>

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **October 9, 2009**Signature **/s/ Robert A. Poczatek**
**Robert A. Poczatek**  
**President**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
 18 U.S.C. §§ 152 and 3571.

ADP  
2 Huntington Quad.  
Melville, NY 11747

AES Inc.  
41 New Street  
Oceanside, NY 11572

Aircore Distributors  
100 Rose Avenue  
Hempstead, NY 11550-6645

All System Brake Service  
110 Wyandanch Ave.  
Wyandanch, NY 11798

Atlantic States Lubricants Corp.  
147 Gazza Blvd.  
Farmingdale, NY 11735

Bank of America  
300 Broadhollow Rd.  
Melville, NY 11747

Barnwell House of Tires  
2020 Lakeland Avenue  
Ronkonkoma, NY 11779

Campinelli & Associates  
1299 Front Street  
Mineola, NY 11501

Deily, Mooney & Glastetter LLP  
Attn.: F. Matthew Jackson, Esq.  
8 Thurlow Terrace  
Albany, NY 12203

Empire Commerical Services, LP  
543 Cary Avenue  
Staten Island, NY 10310

Eveready Auto Shop Supplies Inc.  
18 Roselle St.  
Mineola, NY 11501

FFG-NJ Vehicle Funding  
1 Huntington Quadrangle  
Melville, NY 11747

GE Commerical Finance  
1590 Adamson Parkway #350  
Morrow, GA 30260

Gulf  
PO Box 900  
Louisville, KY 40290-1001

HITACHI CAPITAL AMERICA CORP.  
800 CONNECTICUT AVENUE  
Norwalk, CT 06854

LIPA  
Attn: Elisa M Pugliese Esq.  
175 East Old Country Road  
Hicksville, NY 11801

Mack Financial Services  
7025 Albert Pick Road, Suite 105 (27409)  
PO Box 26131  
Greensboro, NC 27402-6131

Moritt Hock Hamroff & Horowitz LLP  
400 Garden City Plaxa, Ste. 202  
Attn.: Joshua B. Summers, Esq.  
Garden City, NY 11530

Navistar Financial Corp.  
425 N. Martingale Road, 18th Floor  
Schaumburg, IL 60173

Navistar Financial Corporation  
2400 Commerce Ave., Bldg. 1100  
Suite 100  
Duluth, GA 30096

New York State Dept. of Taxation & Finan  
PO Box 22056  
Albany, NY 12201

New York State Sales Tax  
JAF Building, PO Box 1205  
New York, NY 10113-1205

Riker Danzig Scherer Hyland & Perretti  
Headquarters Plaza  
One Speedwell Avenue  
Attn.: Joseph Schwartz, Esq.  
Morristown, NJ 07962-1981

Sovereign  
3 Huntington Quad, Ste 101 N  
Attn.: Luanne K. Chu  
Melville, NY 11747

Sovereign Bank  
1 Huntington Quad  
Suite 2N  
Melville, NY 11747

Syosset Truck Sales, Inc.  
1561 Stewart Avenue  
Westbury, NY 11590

Taurus Supply Inc.  
57-65 59th St.  
Maspeth, NY 11378

Toyota Motor Credit Corporation  
19001 S. Western Avenue, Mail Drop WF11  
Torrance, CA 90509-2991

Toyota Motor Credit Corporation  
PO Box 3457  
Torrance, CA 90509-3457

Van Buren Truck Sales Corp.  
2257 Jericho Tpke.  
New Hyde Park, NY 11040

Verizon  
PO Box 15026  
Albany, NY 12212



VFS US LLC  
PO Box 26131  
Greensboro, NC 27402